

The Honorable David G. Estudillo

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ADAM BINGHAM,

**Plaintiff,**

VS.

SHAVER TRANSPORTATION  
COMPANY, *in personam*; THE Tug  
VANCOUVER, OFFICIAL NUMBER  
990262, her engines, machinery,  
appurtenances and cargo, *in rem*.

## Defendants.

SHAVER TRANSPORTATION  
COMPANY, *in personam*, THE Tug  
VANCOUVER, her engines, machinery,  
appurtenances and cargo, *in rem*,

### Third-Party Plaintiff,

VS.

THE UNITED STATES OF AMERICA,

### Third-Party Defendant

## ORDER MODIFYING BENCH TRIAL AND PRETRIAL DATES

- ) Note on Motion Calendar:
- ) Date: December 16, 2022
- ) Courtroom: B
- )
- ) HON. DAVID G. ESTUDILLO
- ) PRESIDING

**(PROPOSED) ORDER MODIFYING BENCH  
TRIAL AND PRETRIAL DATES**

Case No.: 3:22-cv-05253-DGE

U.S. Department of Justice  
Torts Branch, Civil Division

1           This matter came before the Court on the Stipulation of parties to extend the  
 2 trial and pretrial dates.

3           IT IS HEREBY ORDERED THAT the new trial and pretrial dates are as  
 4 follows:

FIVE DAY BENCH TRIAL set for 9:00 AM	October 23, 2023
Disclosure of expert testimony under FRCP 26(a)(2)	November 28, 2022
Disclosure of rebuttal expert testimony under FRCP 26(a)(2)	December 28, 2022
Mediation	January 17-20, 2023
All motions related to discovery must be filed by	April 19, 2023
Discovery completed by	May 19, 2023
All dispositive motions must be filed by	June 16, 2023
Motions in limine should be filed pursuant to Local Rule CR 7(d)(4) by	September 22, 2023
Agreed pretrial order filed with the Court by	October 6, 2023
Pretrial conference will be held at 11:00 AM on	October 13, 2023
Trial briefs, proposed findings and conclusions and deposition designations due by	October 6, 2023

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 23           Dated: December 16, 2022

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 29           David G. Estudillo  
 30           United States District Judge

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4 Dated: December 5, 2022  
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7 KERRY J. KEEFE  
8 Assistant United States Attorney  
9 Chief, Civil Division  
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12 BRIAN BOYNTON  
13 Principal Deputy Assistant Attorney General  
14 ERIC KAUFMAN-COHEN  
15 Attorney in Charge, West Coast Office  
16 Torts Branch, Civil Division, Admiralty  
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19 */s/ Kyle Fralick* \_\_\_\_\_  
20 KYLE FRALICK  
21 Trial Attorney  
22 Torts Branch, Civil Division, Admiralty  
23 U.S. Department of Justice  
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26 Attorneys for Third-Party Defendant  
27 United States of America  
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29 SCHWABE, WILLIMASON & WYATT, P.C.  
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42 Attorneys for Defendant and Third-Party Plaintiff  
43 Shaver Transportation Co.  
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3                   **GORDON WEBB AND JOHN MERRIAM**  
4                   **DBA SEATTLE MARITIME ATTORNEYS**  
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6                   */s/ John W. Merriam*  
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12                  Attorney for Plaintiff  
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**CERTIFICATE OF SERVICE**

I hereby certify that on December 5, 2022, a true and correct copy of the foregoing (PROPOSED) ORDER MODIFYING BENCH TRIAL AND PRETRIAL DATES was served electronically through email on:

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Attorney for Plaintiff  
**ADAM BINGHAM**

/s/Kyle Fralick  
KYLE FRALICK